

NYC Administration for Children’s Services
NYC Department of Correction
Horizon Juvenile Center Law Library Services Audit Report — May 2020

Pursuant to the six (6) month limited variance renewal first granted by the NYC Board of Correction on July 10, 2018 related to the provisions of the NYC Board of Correction Minimum Standard §1-08(f) Access to Courts and Legal Services, including Law Library, the NYC Administration for Children’s Services (“ACS”), in conjunction with the NYC Department of Correction (“Department”), is permitted to allow for Pre-RTA residents at Horizon Juvenile Center (“Horizon”) to receive Law library services through an alternate method. On Feb 11, 2020, the NYC Board of Correction renewed the Department’s six (6) month variance from Minimum Standard §1-08(f) for Horizon, effective Feb 15, 2020. The related variance conditions require a monthly audit on compliance with the following variance conditions:

1. Pre-RTA Horizon residents will be provided access to Lexis/Nexis research capacity via tablets, upon their request.
2. Pre-RTA Horizon residents will have access to tablets for at least two (2) hours per day, seven (7) days a week, during daytime hours that do not conflict with schooling, programming, counseling, therapy sessions, and other required daily activities.
3. Pre-RTA Horizon will have a skilled legal coordinator whose duties will include supporting Pre-RTA Horizon residents in meeting their requests for assistance in performing legal research.
4. The legal coordinator will be onsite at Horizon at least five (5) days per week for a total of twenty (20) hours per week.

ACS performed an audit on the provision of the alternate Law Library services during the month of May 2020 for Pre-RTA residents at Horizon, in compliance with the variance conditions.

Audit Parameters

The audit is conducted through a manual review of the information documented in the Law Library logbook, completed Resident Law Library Request Forms (“Request Forms”), and an on-site inspection of legal research tablets on four (4) random dates each month.

This audit report covers the following four random (4) dates in the month of May 2020:

- **May 5th**
- **May 13th**
- **May 20th**
- **May 27th**

The Legal Coordinator utilizes a log book to document the date, time, duration, and a brief summary of all duties performed, including each interaction with a resident, information discussed during individualized sessions, verbal requests for individualized sessions to access tablets and perform legal research with the Legal Coordinator’s assistance, Law Library program hours, and whether residents accessed tablets or were afforded assistance in performing legal

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research from the Legal Coordinator during individualized sessions¹. Request Forms are utilized to document individualized information for each youth request for an individualized session to access tablets with Lexis/Nexis research capacity or to receive assistance from the Legal Coordinator in performing legal research, including the date the request for an individualized session was made, the resulting date the individualized session was scheduled for, and the date the individualized session was fulfilled. The Law Library Logbook is utilized as needed to verify the date and duration of time that the Legal Coordinator records they were performing Law Library functions at Horizon.

Audits related to the Legal Coordinator are performed via:

- A manual review of the Request Forms to determine whether the Legal Coordinator was performing duties, which include assisting Horizon residents in performing legal research and accessing tablets with Lexis/Nexis research capacity upon request.
- A manual review of the information documented in Law Library logbook to determine whether the Legal Coordinator performed duties, which include assisting Horizon residents in performing legal research and accessing tablets with Lexis/Nexis research capacity upon request.

Audits related to access to tablets with Lexis/Nexis research capacity are performed via:

- A manual review of the Request Forms to determine whether individualized sessions to access tablets to perform legal research were scheduled upon request, and the date on which individualized sessions were scheduled, and the date on which individualized sessions were fulfilled.
- A manual review of the information documented in the Law Library logbook to determine whether access to tablets with Lexis/Nexis research capacity was afforded to youth for at least two (2) hours per day, seven (7) days a week, during daytime hours that do not conflict with schooling, programming, counseling, therapy sessions, and other required daily activities.
- An on-site inspection of available legal research tablets to determine whether the equipment was operational.

Audit Findings

Request Forms

Pre-RTA residents may request an individualized session to discuss a legal topic or to access a tablet with Lexis/Nexis research capacity, or both by using the Request Form. To request an individualized session, they may complete a Request Form, which is available in each hall seven

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(7) days per week from 3:00 pm to 9:00 pm. Pre-RTA residents are able to submit Request Forms to the Legal Coordinator Mailbox, which is located as a permanent fixture in a common area outside of the Dining Hall. This mailbox is available to all Pre-RTA residents as they are escorted to the medical area or the Dining Hall on a daily basis, three (3) times per day when they are provided meals.

The Legal Coordinator collects the requests daily each morning that they are on-site. On the weekends, Program Counselors collect Request Forms daily and respond to verbal requests from Pre-RTA residents for access to tablets with Lexis/Nexis research capacity. Requests received by the Legal Coordinator Monday through Friday, and resulting individualized sessions, are recorded both on the Request Form and in the Law Library logbook to document that the Legal Coordinator provided access to tablets with Lexis/Nexis research capacity upon request, and that the Legal Coordinator assisted residents in performing legal research.

During the month of May zero (0) Law Library slip requests were received by the Legal Coordinator in the designated mailbox. All requests were made verbally by individual Pre-RTA residents to the Legal Coordinator.

Access to tablets with Lexis/Nexis research capacity

Pre-RTA residents conduct legal research through Lexis/Nexis using one (1) of ten (10) ACS tablets with Lexis/Nexis access. Each tablet made available for legal research on a given day is inspected by the Legal Coordinator to determine if the tablet is operational and has Lexis/Nexis research capacity. If a tablet is determined to be inoperable or unable to access Lexis/Nexis, it is replaced for that session by a different tablet that has been inspected and determined to be operational. All pre-RTA residents at Horizon may request access to Lexis/Nexis for legal research purposes for two (2) hours a day, seven (7) days a week by means of appointment for an individualized session. Requests may be made verbally by speaking directly to the Legal Coordinator or Program staff², or by submitting a Request Form. Individualized sessions to access tablets with Lexis/Nexis research capacity with the assistance of the Legal Coordinator are afforded during Law Library program hours, which occur Monday through Friday, but occasionally may occur on weekends.

On-site inspections

Through the conduction of this audit, it was determined that daily on-site inspections of tablets were performed to assess tablet functionality and access to Lexis/Nexis research capacity and/or access points with secure remote access. In order to determine the functionality of secure remote access points, the Legal Coordinator attempts to activate the tablets by logging on. If tablets indicate an “error” message, the Legal Coordinator seeks ACS IT Support.

² The Legal Coordinator is not usually on-site on weekend days, and as a result, Program staff provide access to tablets with Lexis/Nexis research capacity from 9am to 3pm, upon residents’ request.

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Weekday Law Library hours

On weekdays, the Legal Coordinator provides four (4) hours of continuous Law Library services. Services are typically offered in Pre-RTA resident halls and in classrooms after school hours. Tablets with Lexis/Nexis research capacity are provided for at least two (2) out of the four (4) hours, during a time that does not conflict with the residents' required daily activities.

Weekend Law Library hours

Posters have been placed in each Hall to inform Pre-RTA residents of various means of accessing tablets with Lexis/Nexis research capacity, upon request, for two (2) hours per day, on weekend days, or any other day that Law Library staff is not present.

May 5th

Legal Coordinator on-site recordings

Based on a review of the information documented in Law Library logbook, the Legal Coordinator was on-site at Horizon from 12:00 pm to 4:00 pm for the provision of Law Library services. The Legal Coordinator was on-site for a total of four (4) hours.

Provision of Law Library Services

Based on a review of information documented in the Law Library logbook, on this audit date, the Legal Coordinator provided Law Library program services from 12:00 pm to 4:00 pm, during which Pre-RTA residents were able to verbally request consultation and/or an appointment for an individual session or access to a tablet with Lexis/Nexis capacity. In the Law Library logbook, the Legal Coordinator recorded that during this time period, the residents were afforded access to tablets with Lexis/Nexis research capacity and assistance from the Legal Coordinator in performing legal research.

Fulfillment of Requests for Appointments

Upon review of the information documented in the Law Library logbook for this audit date, three (3) residents requested general case information. Of the three (3) requests for appointments submitted on this audit date, three (3) requests were fulfilled on this date. All three (3) requests were submitted verbally by three (3) separate residents, directly to the Legal Coordinator. The individualized sessions that occurred during Law Library program hours were between ten (10) and fifteen (15) minutes in duration.

Request Forms

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On this audit date, no Request Forms had been submitted by residents. As a result, an audit based on a review of the Request Forms to determine whether residents were provided with access to tablets with Lexis/Nexis research capacity upon written request could not be conducted.

Tablet Functionality and Secure Remote Access

Based on a review of the information documented in the Law Library logbook on this audit date, it was determined through a manual inspection that Tablets #1 and #2, which were made available for Law Library services on this date, were functional.

May 13th

Legal Coordinator on-site recordings

Based on a review of the information documented in the Law Library logbook, the Legal Coordinator was on-site at Horizon from 12:00 pm to 4:00 pm for the provision of Law Library services. The Legal Coordinator was on-site for a total of four (4) hours.

Provision of Law Library Services

Based on a review of information documented in the Law Library logbook, on this audit date, the Legal Coordinator provided Law Library program services from 12:00 pm to 4:00 pm, during which Pre-RTA residents were able to verbally request consultation and/or an appointment for an individual session or access to a tablet with Lexis/Nexis capacity. In the Law Library logbook, the Legal Coordinator recorded that during this time period, the residents were afforded access to tablets with Lexis/Nexis research capacity and assistance from the Legal Coordinator in performing legal research.

Fulfillment of Requests for Appointments

Upon review of the information documented in the Law Library logbook for this audit date, two (2) residents requested general case discussions and one (1) resident requested court related information. Of the three (3) requests for appointments submitted on this audit date, three (3) requests were fulfilled on this date. All three (3) requests were submitted verbally by three (3) separate residents, directly to the Legal Coordinator. The individualized sessions that occurred during Law Library program hours were between five (5) and ten (10) minutes in duration.

Request Forms

On this audit date, no Request Forms had been submitted by residents. As a result, an audit based on a review of the Request Forms to determine whether residents were provided with access to tablets with Lexis/Nexis research capacity upon written request could not be conducted.

Tablet Functionality and Secure Remote Access

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Based on a review of the information documented in in Law Library logbook on this audit date, it was determined through a manual inspection that Tablets #1 and #2, which were made available for Law Library services on this date, were functional.

May 20th

Legal Coordinator on-site recordings

Based on a review of the information documented in the Law Library logbook, the Legal Coordinator was on-site at Horizon from 12:00 pm to 4:00 pm for the provision of Law Library services. The Legal Coordinator was on-site for a total of four (4) hours.

Provision of Law Library Services

Based on a review of information documented in the Law Library logbook, on this audit date, the Legal Coordinator provided Law Library program services from 12:00 pm to 4:00 pm, during which Pre-RTA residents were able to verbally request consultation and/or an appointment for an individual session or access to a tablet with Lexis/Nexis capacity. In the Law Library logbook, the Legal Coordinator recorded that during this time period, the residents were afforded access to tablets with Lexis/Nexis research capacity and assistance from the Legal Coordinator in performing legal research.

Fulfillment of Requests for Appointments

Upon review of the information documented in the Law Library logbook for this audit date, one (1) resident requested information about bail and one (1) resident requested general case information. Of the two (2) requests for appointments submitted on this audit date, two (2) were fulfilled on this date. The two (2) total requests were submitted verbally by two (2) residents, directly to the Legal Coordinator. The individualized sessions that occurred during the Law Library program hours were each five (5) minutes in duration.

Request Forms

On this audit date, no Request Forms were submitted by residents. As a result, an audit based on a review of the Request Forms to determine whether residents were provided with access to tablets with Lexis/Nexis research capacity upon written request could not be conducted.

Tablet Functionality and Secure Remote Access

Based on a review of the information documented in the Law Library logbook on this audit date, it was determined through a manual inspection that Tablets #9 and #10, which were made available for Law Library services on this date, were functional.

May 27th

Legal Coordinator on-site recordings

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Based on a review of the information documented in the Law Library logbook, the Legal Coordinator was on-site at Horizon from 12:00 pm to 4:00 pm for the provision of Law Library services. The Legal Coordinator was on-site for a total of four (4) hours.

Provision of Law Library Services

Based on a review of information documented in the Law Library logbook, on this audit date, the Legal Coordinator provided Law Library program services from 12:00 pm to 4:00 pm, during which Pre-RTA residents were able to verbally request consultation and/or an appointment for an individual session or access to a tablet with Lexis/Nexis capacity. In the Law Library logbook, the Legal Coordinator recorded that during this time period, the residents were afforded access to tablets with Lexis/Nexis research capacity and assistance from the Legal Coordinator in performing legal research.

Fulfillment of Requests for Appointments

Upon review of the information documented in the Law Library logbook for this audit date, one (1) resident requested assistance with general case information. Of the one (1) request for an appointment submitted on this audit date, one (1) request was fulfilled on this date. The (1) request was submitted verbally by one (1) resident, directly to the Legal Coordinator. The individualized session that occurred during Law Library program hours was five (5) minutes in duration.

Request Forms

On this audit date, no Request Forms had been submitted by residents. As a result, an audit based on a review of the Request Forms to determine whether residents were provided with access to tablets with Lexis/Nexis research capacity upon written request could not be conducted.

Tablet Functionality and Secure Remote Access

Based on a review of the information documented in the Law Library logbook on this audit date, it was determined through a manual inspection that Tablets #1 and #2, which were made available for Law Library services on this date, were functional.

Additional Information pertaining to the May Law Library Report:

- Two (2) Pre-RTA residents remain in the building as of May 31, 2020
- Please note that throughout this month's reports, "residents" refers to Pre-RTA residents housed at Horizon